

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANDREA WOOD,
Plaintiff,

v.

ACACIA CHIDI, et al.,
Defendants.

Case No. [3:19-cv-04202-JD](#)

ORDER RE MOTION TO DISMISS

Re: Dkt. No. 16

ANDREA WOOD,
Plaintiff,

v.

EDYTH WILLIAMS, et al.,
Defendants.

Case No. [3:19-cv-04247-JD](#)

Re: Dkt. No. 10

This order resolves pending motions to dismiss in two cases brought by pro se plaintiff Andrea Wood against the County of Contra Costa and certain of its employees. Dkt. No. 16 in Case No. 19-cv-4202; Dkt. No. 10 in Case No. 19-cv-4247. Both suits arise out of juvenile dependency hearings. *Wood v. Chidi* challenges the county's refusal to provide plaintiff visitation with one of her children. *Wood v. Williams* asserts causes of action based on another child's being required to repeat a grade. Defendants' requests to declare Wood a vexatious litigant will be taken up in a separate order. Because the parties are familiar with the facts, the Court does not repeat them here except as relevant to the motions. The motions are granted, and Wood may amend.

The complaints are dismissed because of the domestic relations exception to federal jurisdiction. The "domestic relations exception . . . divests the federal courts of power to issue divorce, alimony, and child custody decrees." *Ankenbrandt v. Richards*, 504 U.S. 689, 703 (1992); *see also Bridgeman v. County of Contra Costa*, Case No. 20-cv-00649-JD, 2020 WL

1 978624, at *1-2 (N.D. Cal. Feb. 28, 2020). Wood’s cases fall squarely into this last category. Her
2 children have been removed from her custody pending juvenile dependency proceedings, and she
3 challenges the conditions of the state custody through her suits. *Ankenbrandt* recognized “sound
4 policy considerations” supported the domestic relations exception. 504 U.S. at 703. In particular,
5 “decrees of this type not infrequently involve[] retention of jurisdiction by the court and
6 deployment of social workers to monitor compliance. As a matter of judicial economy, state
7 courts are more eminently suited to work of this type than are federal courts.” *Id.* at 703-04.

8 Wood’s argument that the domestic relations exception does not apply because this is a
9 suit for money damages is not supported by precedent. Even if it were a cognizable legal theory, it
10 would not control here as she seeks injunctive relief against the government defendants. Dkt.
11 No. 1 at 13 in Case No. 19-cv-4202; Dkt. No. 1 at 18 in Case No. 19-cv-4247.

12 The Court strikes Docket Numbers 8 and 19 in Case No. 19-cv-4247. Federal Rule of
13 Civil Procedure 5.2(a) requires “the name of an individual known to be a minor,” to be redacted in
14 federal court filings. Docket Number 8 contains the unredacted name of individual identified as a
15 minor in other filings, and Docket Number 19 contains an identifiable picture of a minor.

16 Since the Court cannot say that any amendment would necessarily be futile and leave to
17 amend “when justice so requires” is to be granted with “extreme liberality,” Wood may amend her
18 complaints by May 1, 2020. *Hoang v. Bank of Am., N.A.*, 910 F.3d 1096, 1102 (9th Cir. 2018)
19 (citations omitted). If this deadline is not feasible in light of the public health situation, the parties
20 may agree on a new date by stipulation. If the parties cannot agree, a party may ask the Court to
21 extend the deadline. Failure to respond to this order by May 1, 2020, will result in dismissal of
22 Wood’s claims without further leave to amend. No new claims or parties may be added without
23 the prior approval of the Court.

24 **IT IS SO ORDERED.**

25 Dated: March 31, 2020

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JAMES DONATO
United States District Judge